SCOTT J. SAGARIA (BAR # 217981) 1 PATRICK CALHOUN (BAR #56671) SAGARIA LAW, P.C. 333 W. SAN CARLOS STREET **SUITE 1700** 3 SAN JOSE, CALIFORNIA 95110 (408) 279-2288 4 (408) 279-2299 FAX 5 Attorneys for Debtor 6 UNITED STATES BANKRUPTCY COURT 7 NORTHERN DISTRICT OF CALIFORNIA 8 9 Case No. 09-48542 EDJ In Re: 10 Chapter 11 11 DEBTOR'S MOTION TO CONVERT TO DONNA FLAVETTA, CHAPTER 7 12 Hon. Edward D. Jellen 13 Debtor. NO HEARING REQUESTED 14 15 16 DONNA FLAVETTA (hereinafter Debtor) respectfully requests that the Court 17 18 convert this case from a Chapter 11 proceeding to a Chapter 7 proceeding. Debtor no 19 longer believes a Chapter 11 restructuring will be successful. Debtor believes a Chapter 20 7 liquidation is in the best interest of Debtor, the Estate, and her creditors. Debtor's 21 creditors will not be prejudiced by this conversion. 22 23 24 25

DEBTORS' MOTION TO CONVERT

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This Motion based upon the notice, this motion, the Declaration of Patrick Calhoun, on the papers and records on file herein, and on such oral and documentary evidence as may be presented at the hearing on the Motion. Respectfully submitted: SAGARIA LAW, P.C. Date: September 10, 2010 /s/ Patrick Calhoun Patrick Calhoun Attorney for Debtors

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